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Attorneys for Defendants  
Margaret A. Hamburg, M.D., Commissioner of Food and Drugs, and Kathleen Sebelius,  
Secretary of Health and Human Services

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JANE DOE	)	
	)	Case Number: C 12-03412 (EMC)
Plaintiff,	)	
	)	
vs.	)	<b>STIPULATED REQUEST FOR ORDER</b>
	)	<b>CHANGING TIME ; ORDER</b>
MARGARET A. HAMBURG, M.D.,	)	
in her official capacity as Commissioner,	)	Place: Courtroom 5, 17 <sup>th</sup> Floor
U.S. Food and Drug Administration	)	450 Golden Gate Avenue
	)	San Francisco, CA 94102
and	)	Judge: Hon. Edward M. Chen
	)	
KATHLEEN SEBELIUS,	)	
in her official capacity as Secretary,	)	
U.S. Dep't of Health and Human Services,	)	
	)	
Defendants.	)	
	)	

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1 On January 11, 2013, Plaintiff Jane Doe filed her First Amended Complaint (d/e 33),  
 2 pursuant to the Court's December 17, 2012 Order, (d/e 31). In her Amended Complaint, Doe  
 3 challenges the constitutionality of the Food and Drug Administration's regulation of the  
 4 manufacture and distribution of human cells, tissues, and cellular and tissue-based products as  
 5 applied to "uncompensated donations of semen by private individuals to other private  
 6 individuals." Amend. Compl. ¶ 11.

7 On February 25, 2013, defendants Margaret A. Hamburg, M.D., Commissioner of Food  
 8 and Drugs, and Kathleen Sebelius, Secretary of Health and Human Services (collectively  
 9 "Defendants"), filed their Motion to Dismiss the First Amended Complaint ("Motion") on the  
 10 grounds that the Court should decline jurisdiction and that Plaintiff has failed to state legally  
 11 cognizable claims. Pursuant to the parties' stipulated request and the Court's February 19, 2013  
 12 Order, (d/e 35), Plaintiff's Response is due April 8, 2013, Defendants' Reply is due May 13,  
 13 2013, and the hearing on Defendants' Motion is set for June 20, 2013.

14 Also pursuant to the Court's February 19, 2013 Order, (d/e 35), the parties must file a  
 15 joint Case Management Conference ("CMC") Statement by March 28, 2013, and the CMC is set  
 16 for April 4, 2013.

17 The Court's disposition of Defendants' pending Motion may dispose of the matter.  
 18 Accordingly, in the interests of efficiency, the parties believe that the CMC and the deadline for  
 19 filing the joint CMC Statement should be rescheduled to a date after the hearing on Defendant's  
 20 Motion.

21 Accordingly, pursuant to Civil Local Rule 6-2, Plaintiff and Defendants, by and through  
 22 their undersigned counsel, hereby stipulate and respectfully request an order changing time as  
 23 follows:

- 24 1. The parties shall file a joint CMC Statement by July 11, 2013; and
- 25 2. The Case Management Conference currently scheduled for April 4, 2013, is  
 26 rescheduled to July 18, 2013.

27 The Declaration of Sang H. Lee is submitted in support of this Stipulated Request.

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1 IT IS SO STIPULATED.

2  
3 Dated: March 21, 2013

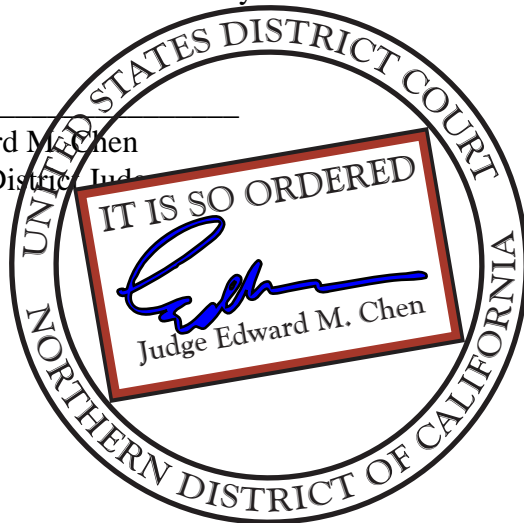
BY: /s/ SHL  
Sang H. Lee  
Attorney for Defendants

4  
5  
6 Dated: March 21, 2013

BY: /s/ Amber Abbasi  
Amber D. Abbasi  
Attorney for Plaintiff

7  
8  
9  
10 IT IS SO ORDERED that the CMC is reset for 7/18/13 at 9:00 a.m. A joint CMC  
11 statement shall be filed by 7/11/13.

12  
13 Edward M. Chen  
14 U.S. District Judge



**ECF ATTESTATION**

I, Sang H. Lee, am the ECF User whose identification and password are being used to file this Stipulated Request for Order Changing Time. Pursuant to Civil L.R. 5-1(i), I hereby attest that Amber D. Abbasi, counsel for Plaintiff, Jane Doe, has concurred in this filing.

/s/ Sang Lee  
Sang H. Lee  
*Attorney for Defendants*